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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.63 OF 2005

Premier Synthetics Limited
& Anr. ... Petitioners

Vs.

Collector of Mumbai & Ors. ... Respondents

Mr. J.P. Sen i/b Mr. T.N. Tripathi for the petitioners.

Ms. M. Kajale, A.G.P. for respondents 1, 2 and 4.

Mr. K.P. Jain with Mr. G.R. Mehta for respondent 3.

CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.

DATED: 16TH DECEMBER 2005.

P.C.:-

1. The petitioners have challenged the demand notice issued by respondents 1 and 2 under section 267 of the Maharashtra Land Revenue Code, 1966 (for short, "the said Code"). It is not in dispute that remedy under section 274 of the said Code is available to the petitioners. In the circumstances, the learned counsel for the petitioners seeks permission to withdraw the petition with liberty to adopt the remedy of appeal. The petition is, in the circumstances, allowed to be withdrawn with liberty as prayed.

2. Mr. Jain, the learned counsel appearing for respondent 3 states that for a period of 10 days from

today respondent 3 shall not take any coercive steps against the petitioners. This statement made by the learned counsel for respondent 3 shall not create any equity in favour of the petitioners.

3. The petition is disposed of as withdrawn.

(SMT. RANJANA DESAI, J.)

(ABHAY S. OKA, J.)